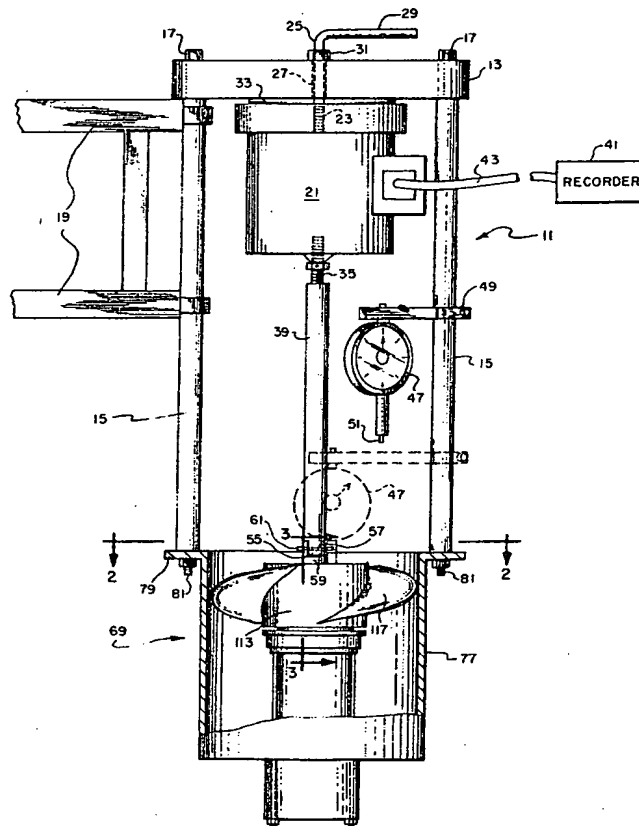


REMARKS

Claims 58, 59, 61, 68, and 69 were pending in the application. Claim 61 is being canceled, leaving claims 58, 59, 68, and 69 as the only claims.

Claims 58, 59, 68, and 69 were all rejected on only basis: as being directed to merely obvious modifications of the measuring device disclosed in the Tiller '758 patent. That patent discloses a rig that can be used to test a fan assembly 69. The rig includes an extension rod 39 that is used to connect the assembly to be tested to a load cell 21. The testing involves using the extension rod to apply an axial load on shaft of the fan assembly. The patent includes no discussion and no apparent suggestion of rotating the extension rod or the load cell, or even turning on the motor in the fan assembly.



The rig is for testing other products, and is not itself used in other environments. For example, the rig is clearly not used for pumping, and it appears that the motor in the fan assembly should not be turned on while the fan assembly is secured in the rig. One of ordinary skill in the

art would not look to this patent for guidance in building an assembly that could actually be used for pumping, or in arranging a joint that could withstand a substantial torque at the point where the load cell is connected to the extension rod.

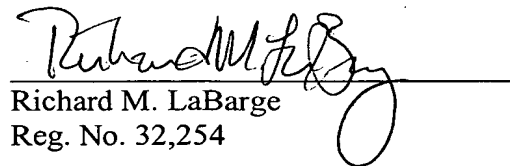
Claims 58, 59, 68, and 69 have been amended in two ways to distinguish the Tiller device and other devices that are not used for pumping. First, the claims now specify a motor assembly for use with a pump, or for pumping. (See, e.g., page 8, lines 15-18; page 9, lines 11-19.) Since the Tiller patent is not an assembly for pumping, it does not fall within the scope of the requested claims. Second, the claims have been amended to recite that the shaft extension leads to a pump impeller or to a pump impeller assembly. Because the load cell is a critical part of the Tiller device, replacing that load cell with a pump impeller would disable the product from performing its intended testing function. A revision that would disable a product from performing its intended function is not obvious.

For these reasons, the applicants submit that this amendment of the claims opens the way for the rejections of claims 58, 59, 68, and 69 to now be withdrawn. Please withdraw those rejections and issue a notice of allowance of claims 58, 59, 68, and 69.

Respectfully submitted,

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